

Meeting Date: 6/28/2011



Agenda Item # 4b

CITY COUNCIL AGENDA ITEM

Contact Name: Jim Kerr, City Planner Department Director: *Al StH*
 Department/Contact # 386 775-5414 City Manager: *J. Cutb*

Type of Item: Public Hearing Resolution
 Ordinance First Reading Discussion & Action
 Ordinance Second Reading Council Approval

**Subject: Extension of Shadow Ridge Phase 2 Site Plan Development Order
 Resolution 642-11**

BACKGROUND:

The Shadow Ridge Phase 2 subdivision is proposed to consist of 77 single family residential lots on approximately 32.7 acres. Originally, on July 24, 2007, the City Council approved the site plan, which, said approval was to expire on July 24, 2008. Prior to the expiration date, the Council approved the first extension after receiving a request for an extension from the owner. Prior to the extension expiring on July 24, 2009, a second extension was granted. Prior to the extension expiring on July 24, 2010, a third extension was granted. Currently, prior to the extension due to expire on July 24, 2011, the applicant has requested a fourth extension.

The subject property is located on South Leavitt Avenue immediately north of Shadow Ridge Phase 1, and maintains an R-2 Medium Density Residential zoning classification. Currently, the property is vacant, undeveloped and wooded. The adjoining properties are zoned as I-1 Light Industrial to the north, CR Commercial Recreation (county park) to the east, R-2 Medium Density Residential to the south, and Volusia County R-4 urban single family residential to the west.

In accordance with the criteria requirements of Section 5.5 of the City's land development code, staff maintains the following.

- A. The only change to the land development code since the original approval is the City's adoption of Ordinance No. 355 and Ordinance No. 406, therein requiring compliance with the National Pollutant Discharge Elimination System requirements.
- B. The demands of the proposed development have not changed, and there is sufficient infrastructure capacity to service the proposed development.
- C. There have been no changes to the surrounding land uses, or development, or other conditions that would require modifying the site plan.

Staff has reviewed the application and finds that the site plan meets the minimum requirements of the City's land development code, subject to the conditions listed in Exhibit B, attached to this Resolution. Condition Nos. 1 and 2 in Exhibit B were included in Council's original site plan approval in 2007, and are included in this extension request for documentation purposes.

RECOMMENDATIONS:

City staff recommends that the City Council approve the fourth extension for the Shadow Ridge Phase 2 site plan development order.

ATTACHMENTS:

Resolution No. 642-11, and Exhibits A and B

FINANCIAL IMPACT:

None anticipated

Reviewed by City Attorney

Reviewed by Finance Dept.

Reviewed by:

1st Discussion Date: 6/28/2011	2nd Discussion Date: Click here to enter a date.	Third Discussion Date: Click here to enter a date.	Other Dates: Click here to enter a date.
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RESOLUTION NO. 642-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A FOURTH 12-MONTH EXTENSION TO THE SITE PLAN FOR SHADOW RIDGE SUBDIVISION PHASE 2, SAID SITE PLAN CONTAINING THE SPECIFICATIONS TO DEVELOP 77 LOTS ON A 32.7 ACRE PARCEL, LOCATED IMMEDIATELY NORTH OF SHADOW RIDGE SUBDIVISION PHASE 1, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Shadow Ridge Subdivision Phase 2 site plan was originally approved at a public meeting held on July 24, 2007 by the City Council of the City of Orange City, via Resolution No. 419-07, said site plan containing the specifications for constructing the improvements necessary to sustain 77 proposed residential lots on a 32.7 acre parcel, said property located immediately north of Shadow Ridge Subdivision Phase 1, and

WHEREAS, in July of 2008, the applicant, Jay Chaudhari, requested a first extension to the approved Shadow Ridge Subdivision Phase 2 site plan, which said extension was approved by City Council on July 22, 2008, via Resolution No. 488-08, which granted the first 12-month extension to the site plan, said approval expired on July 24, 2009, and

WHEREAS, in June of 2009, the applicant, Jay Chaudhari, requested a second extension to the approved Shadow Ridge Subdivision Phase 2 site plan, said extension was approved by City Council on July 14, 2009, via Resolution No. 550-09, and was granted a second 12-month extension to the site plan, said approval to expire on July 24, 2010, and

WHEREAS, in June of 2010, the applicant, Jay Chaudhari, requested a third extension to the approved Shadow Ridge Subdivision Phase 2 site plan, said extension was approved by City Council on July 13, 2010, via Resolution No. 611-10, and was

granted a third 12-month extension to the site plan, said approval to expire on July 24, 2011, and

WHEREAS, in May of 2011, the applicant, Jay Chaudhari, requested a fourth extension to the approved Shadow Ridge Subdivision Phase 2 site plan, said extension to be considered by City Council on June 28, 2011, via Resolution No. 642-11, and if approved, will grant a fourth 12-month extension to the site plan, said approval to expire on July 24, 2012, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider this fourth extension to the approved Shadow Ridge Subdivision Phase 2 site plan, as per Section 5.5 (as amended by Ordinance No. 379 on April 28, 2009) of the Land Development Code of the City of Orange City, Florida.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. That the Shadow Ridge Subdivision Phase 2 site plan, said site plan containing the specifications for constructing the improvements necessary to sustain 77 proposed residential lots on a 32.7 acre parcel, said parcel located immediately north of Shadow Ridge Subdivision Phase 1, said site plan attached hereto as Exhibit A, is by reference incorporated herein and approved for a fourth 12-month extension to expire on July 24, 2012, subject to the conditions listed in the attached Exhibit B.

SECTION 2. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

SECTION 3. That this resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Resolution No. 642-11):

Jeff H. Allebach	_____	Thomas Laputka	_____
Tom Abraham	_____	Anthony Pupello	_____
Gary Blair	_____	O. William Crippen, Vice Mayor	_____
Harley Strickland, Mayor	_____		

ADOPTED THIS _____ DAY OF _____, 2011.

ATTEST TO:

Deborah J. Renner, City Clerk

Authenticated this _____ day of _____, 2011.

Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:

William Reischmann, City Attorney

Exhibit A Resolution No. 642-11

Shadow Ridge Phase 2 Site Plan

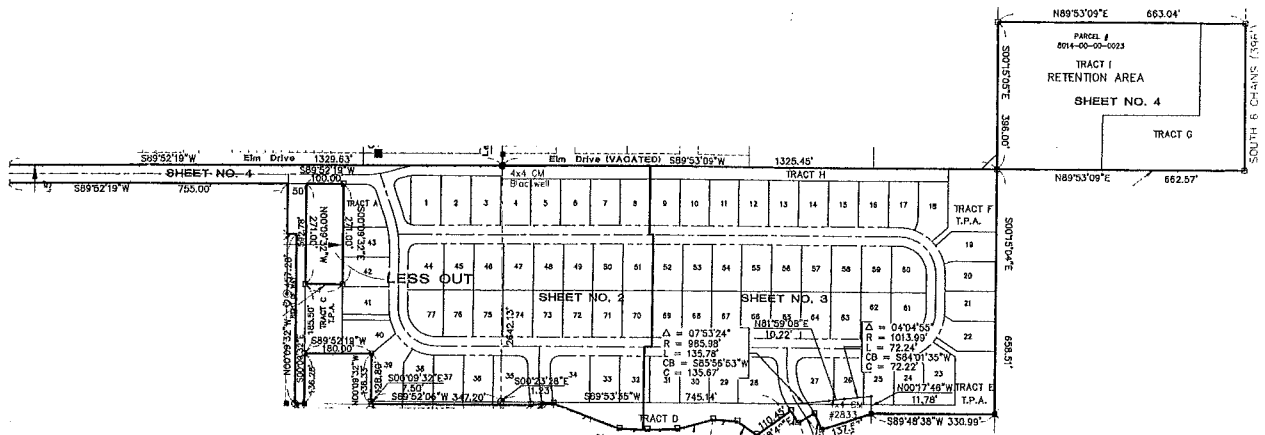


Exhibit B

Resolution No. 642-11

Shadow Ridge Phase 2 Site Plan Conditions

Condition No. 1 – Street Lighting

The applicant shall resubmit a street lighting plan which correctly depicts the location of the light poles behind the sidewalk, which is between the sidewalk and the building lots, and not between the sidewalk and the road pavement. The street lighting shall consist of full cutoff fixtures.

Condition No. 2 – Tree Requirements

As each lot is constructed, the builder shall meet the tree ordinance requirement at that time for that specific lot, including an underground landscape irrigation system. Following clearing of the property, the Tract areas must be cleared of underbrush and dead trees and an inventory of remaining trees provided to staff to assure compliance with the tree requirement.

Condition No. 3 – Park Requirements

The applicant shall provide park equipment specifications for approval by staff to assure quality equipment sufficient to meet the needs of the families who will be living within the subdivision.

Condition No. 4 – Compliance with New Ordinance

Prior to construction of the infrastructure, the applicant shall comply with Ordinance No. 355, adopted on June 10, 2008, and Ordinance No. 406 adopted on October 13, 2009, said two ordinances requiring compliance with the National Pollutant Discharge Elimination System.

In accordance with Section 5.6.1 of the City's land development code regarding minor modifications, Staff recommends the following two conditions be added to the extension of the development order for the Shadow Ridge Phase 2 site plan.

Condition No. 5 – Housing Criteria

Each single family dwelling unit shall be a minimum of 1,650 square feet with a 2 car garage and façades facing any street shall be constructed with at least 80 percent of materials consisting of brick, natural stone, architectural cast stone, hardcoat, stucco or other durable materials approved by the Development Services Director consistent with the attached elevations. Elevations shall also be provided at the time of building permit

that allows for visual variety along the streetscape within the subdivision and features traditional elements such as dormers, front porches, arched windows and columns. In order to create a varied and interesting street scene the Development Services Director may consider elevations that incorporate architectural enhancements such as shutters, articulation in roof forms, varied wall planes, changes in materials, decorative details and siding on elevations, as well as window and door trim, the use of arched entries and extended porches. Elevations shall be reviewed and approved by the Development Services Director to ensure consistency with those attached to provide a cohesive character. The garage and front doors shall be distinct and compatible with the architectural style of the home.

Condition No. 6 – Landscaping

Landscaping shall be incorporated into the lots of each dwelling unit and be submitted with elevations at time of building permit. Landscaping shall be designed to enhance the streetscape and architectural styling of the proposed elevation and will be approved by the Development Services Director. Landscaping shall be installed prior to the issuance of the certificate of occupancy and guaranteed for one year after installation by permittee. Examples of landscaping may include foundation plantings, trees, landscape islands, and hardscaping.